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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PATRICIA A. RAMSEY,

Plaintiff(s),

v.

P.F. CHANG'S CHINA BISTRO, INC.,

Defendant(s).

Case No. 2:20-cv-02207-KJD-NJK

Order

[Docket No. 25]

Pending before the Court is Plaintiff's motion for spoliation sanctions. Docket No. 25. Defendant filed a response in opposition. Docket No. 27. Plaintiff did not file a reply and the deadline for doing so has expired. Local Rule 7-2(d).

Defendant's responsive brief argues that the motion fails to account for the requirement in Rule 37(e) that Plaintiff must establish an "intent to deprive" and, relatedly, that the motion does not provide sufficient evidence from which an intent to deprive can be found. Docket No. 27 at 4-7. Defendant's responsive brief also argues that the motion was not timely filed. *Id.* at 4.

"The district court has considerable latitude in managing the parties' motion practice." *Christian v. Mattel, Inc.*, 286 F. 3d 1118, 1129 (9th Cir. 2002). As Defendant's responsive brief raises threshold issues that warrant input from Plaintiff, the Court hereby **ORDERS** Plaintiff to file a reply by September 24, 2021.

IT IS SO ORDERED.

Dated: September 20, 2021



Nancy J. Koppe
United States Magistrate Judge